

04-08-04



Customer No.: 07278

Docket No.: 02309/0200763-USO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Takashi Miyatake et al.

Serial No.: 10/762,881

Filed: January 21, 2004

For: ROTARY CUTTER AND METHOD FOR MANUFACTURING FIBROUS
PRODUCT USING THE SAME

April 6, 2004

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is
filed: (Check one of the boxes A-D)

- ☒ A. Within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.
- ☐ B. before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination.
- ☐ C. after (A) and (B) above, but before the mailing date of a final rejection, a notice of allowance, or any other action that closes prosecution, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

(check one of the boxes "i" and "ii" below:)

- ☐ i. Counsel states that, upon information and belief, each item of information listed herein was either (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
- ☐ ii. A check for the fee set forth in 1. 17(p), presently believed to be \$180, is enclosed.
- ☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Counsel states that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
- ☐ i. A check for the fee set forth in 1.17 (p), presently believed to be \$180, is enclosed.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate.)

- ☒ A. Pursuant to the Notice issued by the United States Patent and Trademark Office dated July 11, 2003 waiving the requirements of 37 C.F.R. § 1.98(a)(2)(i), a copy/copies of the United States Patent on PTO/SB08 is/are not being submitted.
- ☐ B. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.
- ☒ C. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:

(1) U.S. Patent No. 6,143,393, issued November 7, 2000 (Attorney Dkt. No. 02309/100E975-US1);

(2) U.S. Patent No. 6,319,593, issued November 20, 2001 (Attorney Dkt. No. 02309/000F298-US0); and

(3) U.S. Patent Application No. 10/182,460, filed July 24, 2002 (Attorney Dkt. No. 02309/000L700-US0).

Applicant Identifies these documents by attaching hereto copies of the forms PTO-892 and PTO/SB08 from the files of the prior application(s) or a fresh PTO/SB/08 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

☐ 3. Document(s) _____ are not in the English language. In accordance with 1.98(c), Applicant states:

- ☐ An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application is enclosed.
- ☐ A concise explanation of the relevance of document(s) _____ is found in the attached search report (see MPEP § 609 A(3)x).
- ☐ A concise explanation of the relevance of document(s) _____ is set forth as follows: [Insert concise explanation of relevance]
- ☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.
- ☐ A concise explanation of document(s) _____ can be found on the attached sheet.

☐ 4. No explanation of relevance is necessary for documents in the English language (see MPEP § 609 A(3)).

☐ 5. Other information being provided for the examiner's consideration follows:

[A/An _____ Search Report, dated _____, which issued during the prosecution of _____ Application No. _____ which corresponds to the present application.]

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless other-wise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

CROSS REFERENCE UNDER 37 C.F.R. §1.78 TO RELATED APPLICATIONS

Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

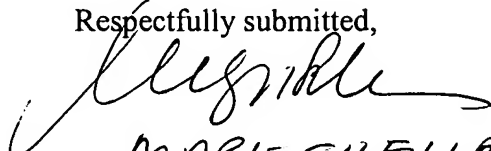
(1) U.S. Patent No. 6,143,393, issued November 7, 2000 (Attorney Dkt. No. 02309/100E975-US1);

(2) U.S. Patent No. 6,319,593, issued November 20, 2001 (Attorney Dkt. No. 02309/000F298-US0); and

(3) U.S. Patent Application No. 10/182,460, filed July 24, 2002 (Attorney Dkt. No. 02309/000L700-US0).

Early and favorable consideration is earnestly solicited.

Respectfully submitted,



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PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/762,881
				Filing Date	January 21, 2004
				First Named Inventor	Takashi Miyatake
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	02309/0200763-US0

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA**	US-3,522,762-B1		Sauer	
	AB**	US-3,640,279-B1	02/1972	Brown et al.	
	AC**	US-4,842,794-B1	06/1989	Hovis	
	AD**	US-5,351,397-B1	10/1994	Angelie, Daniel J.	
	AE**	US-4,276,797-B1	07/1981	Baumann et al.	
	AF**	US-2,221,716-B1	11/1940	Morton	
	AG**	US-2,808,884-B1	10/1957	Shann et al.	
	AH**	US-1,693,589-B1	12/1928	Bolton	
	AI**	US-2,682,306-B1	06-29-1954	Schriber	
	AJ**	US-3,086,416-B1	04-23-1963	Minarik	
	AK**	US-3,604,279-B1	02-08-1972	Brown et al.	
	AL**	US-3,472,228-B1	10-14-1969	Tanner Jr.	
	AM**	US-5,229,191-B1	07/1993	Austin	
	AN**	US-5,964,742-B1	10/1999	McCormack et al.	
	AO**	US-4,961,242-B1	10-09-1990	Kresse et al.	
	AP**	US-528,730-B1	11-06-1894	Magoris	
	AQ**	US-2,493,968-B1	01-10-1950	Hepner	
	AR**	US-3,505,155-B1	04-07-1970	Balch et al.	
	AS**	US-4,991,362-B1	02-12-1991	Heyer et al.	
	AT**	US-4,436,780-B1	03-13-1984	Hotchkiss et al.	
	AU**	US-4,041,203-B1	08-09-1977	Brock et al.	
	AV**	US-5,368,913-B1	11-29-1994	Ortega	
	AW**	US-4,196,245-B1	04-01-1980	Kitson et al.	
	AX**	US-3,822,435-B1	07-09-1974	Moss	
	AY**	US-5,525,397-B1	06-11-1996	Shizuno et al.	
	AZ**	US-5,429,854-B1	07-04-1995	Currie et al.	
	AA1**	US-5,315,734-B1	05-31-1994	Kresse et al.	
	AB1**	US-4,145,787-B1	03-27-1979	Bastian	
	AC1**	US-4,018,646-B1	04-19-1977	Ruffo et al.	
	AD1**	US-2,522,691-B1	03-13-1946	Podolak	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	BA**	JP-10-076494-A1	03-24-1998	Sekisui Chem. Co. Ltd.		
	BB**	EP-0923902-A1	06-23-1999			
	BC**	EP-0301599-A1	02-01-1989			
	BD**	DE-19755596-A1	02-18-1999			
	BE**	EP-0289198-A1	11-02-1988			
Examiner Signature				Date Considered		



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	02309/0200763-US0

	BF**	EP-0774229-A2	05-21-1997		
	BG**	EP-05245090-A1	09-24-1993		
	BH**	DE-2262121	07-11-1974		
	BI**	JP-09135798	05-27-1997		
	BJ**	EP-0596532-A1	05-11-1994		
	BK**	EP-0262817	04-06-1988		
	BL**	EP-0777997-A2	06-11-1997		
	BM**	EP-0777997 A3-A1	01-07-1998		
	BN**	EP-0774229 A3-A1	04-15-1998		
	BO**	EP-05192284-A1	08-03-1993		
	BP**	WO-92/03083-A1	03-05-1992		
	BQ**	JP-9-149873	06-10-1997		
	BR**	JP-5-245090	09-24-1993		

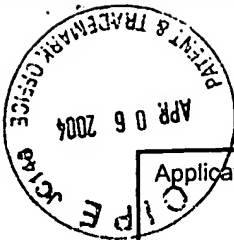
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. **CITE NO.: Those patent(s) or publication(s) which are marked with an double asterisk (**) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120 or Pursuant to the Notice issued by the United States Patent and Trademark Office dated July 11, 2003 waiving the requirements of 37 C.F.R. § 1.98(a)(2)(i), a copy of the United States Patent on PTO/SB08 is not submitted.. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA**	European Search Report of European Application No. EP 98 31 0250 dated September 6, 1999.	

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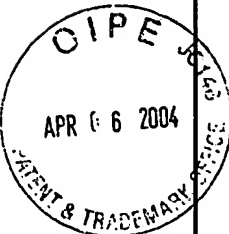
¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Application No. (if known): 10/762,881

Attorney Docket No.: 02309/0200763-US0



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